

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

April Ayer

Plaintiff,

vs.

Community Mercy Health Partners d/b/a  
Springfield Regional Medical Center, et al.,

Defendants.

Case No. 3:18-cv-00327

Judge: Thomas M. Rose

Magistrate Judge: Michael J. Newman

**ORDER GRANTING PRESUMED MOTION FOR EXTENSION OF TIME**

Plaintiff April Ayer and Defendants Community Mercy Health Partners, d/b/a Springfield Regional Medical Center, Mercy Health, and Bon Secours Mercy Health, Inc., stipulated that Plaintiff shall have until December 20, 2018 to file a responsive memorandum to Defendants' Motion for Partial Judgment on Pleadings. They filed a stipulation and proposed order to that effect purportedly pursuant to S.D. Ohio Local Rule 6.1(a). Local Rule 6.1(a) permits stipulated extensions of time (up to 21 days) in which to file a motion in response to a pleading or any responsive pleading. As stated in Local Rule 6.1(b), however, this applies only to extensions of time to plead to a complaint, amended complaint, counterclaim or comparable pleading under Fed. R. Civ. P. 7(a). It does not permit stipulated extensions of time to respond to motions (as here), Court orders, or other deadlines. Presumably, the parties intended to file a stipulated motion for extension of time to respond to the Motion for Partial Judgment on the Pleadings, which may be inferred from their inclusion of a proposed order. Stipulated extensions of time under Local Rule 6.1(a) do not require a Court order to be effective.

The Court **GRANTS** the parties' presumed motion that Plaintiff have until December 20, 2018 to file a responsive memorandum to Defendants' Motion for Partial Judgment on Pleadings.

**DONE** and **ORDERED** in Dayton, Ohio, this Tuesday, November 27, 2018.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE